

AMENDED IN ASSEMBLY MARCH 29, 2012

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 1772

Introduced by Assembly Member Buchanan

February 17, 2012

An act to amend ~~Section 48414~~ Sections 48200 and 48210 of the Education Code, relating to ~~pupil instruction~~ compulsory education.

LEGISLATIVE COUNSEL'S DIGEST

AB 1772, as amended, Buchanan. ~~Pupil instruction: compulsory education.~~ *Compulsory kindergarten.*

Under existing law, a person between the ages of 6 and 18 years who is not exempted by law is subject to compulsory full-time education. Existing law excludes a child under 6 years of age from the public schools, subject to specified exceptions.

Existing law requires a school district maintaining a kindergarten to admit a child who will have his or her 5th birthday on or before certain specified dates during that school year.

This bill would require a child to attend compulsory kindergarten if he or she meets the age requirements for admission to kindergarten, subject to specified exemptions. By increasing the duration of compulsory education, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state,

reimbursement for those costs shall be made pursuant to these statutory provisions.

~~Existing law requires any person 16 or 17 years of age who is exempt from compulsory continuation attendance laws, as specified, be permitted by the governing board of the school district in which he resides to reenroll in the district, without prejudice, as if he had never taken advantage of the exemption. Existing law also provides that if such person subsequently again terminates enrollment on the basis of the same exemption, the district may deny him reenrollment until the beginning of the next semester in the district's academic year.~~

~~This bill would make technical, nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: ~~no~~ yes.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 48200 of the Education Code is amended*
2 *to read:*

3 48200. (a) ~~Each~~ *Except as provided in subdivision (b), a person*
4 *between the ages of 6 and 18 years not exempted under the*
5 ~~provisions of this chapter or Chapter 3 (commencing with Section~~
6 48400) is subject to compulsory full-time education. ~~Each~~ *A person*
7 *subject to compulsory full-time education and each a person subject*
8 *to compulsory continuation education not exempted under the*
9 ~~provisions of Chapter 3 (commencing with Section 48400) shall~~
10 attend the public full-time day school or continuation school or
11 classes and for the full time designated as the length of the
12 school day by the governing board of the school district in which
13 the residency of either the parent or legal guardian is located ~~and~~
14 ~~each~~. A parent, guardian, or other person having control or charge
15 of the pupil shall send the pupil to the public full-time day school
16 or continuation school or classes and for the full time designated
17 as the length of the school day by the governing board of the school
18 district in which the residence of either the parent or legal guardian
19 is located.

20 (b) *A person eligible for enrollment in kindergarten pursuant*
21 *to subdivision (a) of Section 48000 and not exempted under this*
22 *chapter is subject to compulsory kindergarten, and shall attend*
23 *public kindergarten for the full time specified in Section 46111.*

1 *The parent, guardian, or other person having control or charge*
2 *of a person subject to compulsory kindergarten shall send him or*
3 *her to the public kindergarten for the full time designated in Section*
4 *46111.*

5 (c) Unless otherwise provided for in this code, a pupil shall not
6 be enrolled for less than the minimum schoolday established by
7 law.

8 *SEC. 2. Section 48210 of the Education Code is amended to*
9 *read:*

10 48210. Children under six years of age are excluded from the
11 public schools, except as provided:

12 (a) A child subject to compulsory kindergarten pursuant to
13 subdivision (b) of Section 48200.

14 (b) As otherwise provided in this code.

15 *SEC. 3. If the Commission on State Mandates determines that*
16 *this act contains costs mandated by the state, reimbursement to*
17 *local agencies and school districts for those costs shall be made*
18 *pursuant to Part 7 (commencing with Section 17500) of Division*
19 *4 of Title 2 of the Government Code.*

20 ~~SECTION 1. Section 48414 of the Education Code is amended~~
21 ~~to read:~~

22 ~~48414. A person 16 or 17 years of age exempt from compulsory~~
23 ~~continuation attendance laws by subdivision (e) of Section 48410~~
24 ~~who has terminated his or her enrollment on the basis of such~~
25 ~~exemption shall be permitted by the governing board of the school~~
26 ~~district in which he or she resides to reenroll in the school district,~~
27 ~~without prejudice, as if he or she had never taken advantage of~~
28 ~~subdivision (e) of Section 48410. If such person subsequently~~
29 ~~again terminates enrollment on the basis of such exemption, the~~
30 ~~school district may deny him or her reenrollment until the~~
31 ~~beginning of the next semester in the school district's academic~~
32 ~~year.~~